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The Commissioner for Patents

P.O. Box 1450

Alexandria VA 22313-1450

On: February 22, 2005

By: Richard D. Fuerle

Signature: _____

Date of Signature: February 22, 2005

Applicants: Qi Wang et al.

Examiner: Egwim, Kelechi Chidi

Serial No.: 10/065,636

Group Art Unit: 1713

Filed: November 5, 2002

For: INHIBITING POLYMER OXIDATION
USING NON-PHENOLIC ANTIOXIDANTS

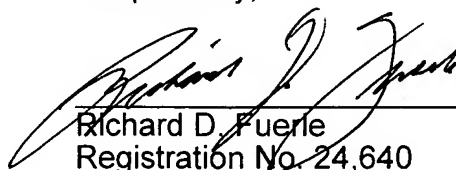
The Commissioner of Patents
and Trademarks
Alexandria, VA 22313

LETTER

Sir:

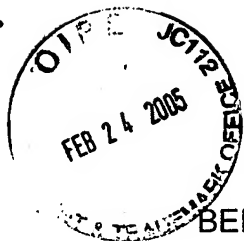
Attached hereto are three copies of Appellants' Supplemental Reply Brief.

Respectfully,



Richard D. Fuerle
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For Appellants

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February 22, 2005
CASE 6938CIP



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Applicants: Qi Wang et al.

Examiner: Egwim, Kelechi Chidi

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SUPPLEMENTAL REPLY BRIEF OF APPELLANT

Sir:

This is a Brief in reply to the Examiner's Supplemental Answer, dated February 7, 2005. Appellants wish to make the following comments on the Examiner's Supplemental Answer:

On page 5 of his Supplemental Answer, the Examiner states, "While Jaeger, above, does not explicitly teach the compounds to be useful with the specific polymers recited in the claims, ..." Appellant believes that a rejection of Appellants' claims under 35 U.S.C. 102 cannot be maintained in view of that statement.

On page 6 of his Supplemental Answer, the Examiner reminds the Court of their affirmation of the rejections made in Appellants appeal in the parent of this application. This application is a continuation-in-part application and Appellants added additional support to their specification and modified their claims to overcome the

rejections made in the parent application. The issues are therefore not the same issues that were before the Court in the parent application.

Also on page 6, the Examiner insists that Appellant must teach the preparation of each compound. Appellant believes that it is only necessary that a person skilled in the art be able to make the compounds without undue experimentation, or purchase them, not that a preparation be given for each compound. Appellants are not claiming the compounds as new compounds. Appellants are only using known compounds and compounds that are easily made or can be purchased, and therefore should not be held to as high as standard as if he were claiming new compounds.

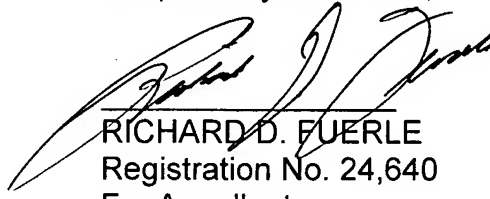
On page 7, the Examiner states, "appellant's antioxidant could be almost anything made form (sic) almost anything." This is a completely unfair characterization of Appellants' claimed invention as formulas are provided for all of the antioxidants that appear in Appellants' claims.

Also on page 7, the Examiner makes the argument that because there is no "chemicals (sic) or structural connection between the different resins" there need not be any between the cited art and the resins in Appellants' claims. The chemical connection is that all of Appellants' polymers are thermoplastic. There is also the connection that the polymers tend to yellow after exposure to gamma rays and that Appellants' invention is useful in alleviating that problem with these particular polymers. Simply because Appellants list polymers that are not closely chemically related to each

other does not mean that polymers listed by Appellants are obvious over prior art that discloses polymers not listed by Appellants.

For these reasons, it is submitted that Appellants' invention is patentable. The Board is therefore requested to reverse the Examiner and find that Claims 21, 22, 26, 28, 29, 31, 33, 38, and 39 are patentable.

Respectfully submitted,



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